

Snoop Probe: We All May Be Psychologically Naked

By David Hoffman
of The Herald Tribune Staff
WASHINGTON

Anonymous but nosy people are analyzing your average opening your mail, burgling your bedroom, quizzing your boss, copying your tax returns. In fact, Rep. Cornelius Gallagher said yesterday, corporate and government snooping is so widespread that a new Constitutional amendment may be necessary to preserve the privacy of Americans.

He added: "All of us may some day stand psychologically naked."

Rep. Gallagher, a New Jersey Democrat, is chairman of a special House subcommittee that yesterday began three days of public hearings aimed at exposing the snoops and curbing their activity.

"We have become a nation of snoopers—public and private," he said in a statement.

"For many years, we grew increasingly callous about this disturbing development in American society. But there are large cracks now appearing in that callousness. There is a new mood in Congress—a new mood in the nation—which compels attention."

He thinks that this "new mood" might lead to legislation that would, as one observer put it, "snoop the snoops." Among the forms he suggested:

1. A Federal law requiring the postoffice to obtain a warrant or court order before it puts a "mail cover" on letters sent to a home or office. In a mail cover, postal employees jot down the return address on all letters received by a suspect. Recipients never know who a check is being made.

2. Legislation to control the manufacture and sale of electronic devices used for

snooping, somewhat like the slot-machine law. However, the subcommittee has wilderness pointed out that collection of such devices is so simple that snoops could assemble them themselves and thus evade the Federal statute. There has been the potential catch, said Dr. William M. Baer, professor of Constitutional law at Princeton.

An amendment to the Civil Rights Act making electronic snooping a violation of the law. At the very least, Rep. Gallagher said, "some bill needs to be passed which will make it mandatory for Federal agencies to give up their snooping devices and activities, starting with those not concerned with national security."

In its investigation, Rep. Gallagher's subcommittee obtained evidence that American detective agencies have been paid by foreign governments

to shadow their nationals while in the United States.

"It has been charged that the dictatorship of Francisco Duvalier in Haiti has contracted for such questionable services," he said. Information thus collected "could become dossiers at a later time for the persecution and prosecution of persons returning to Haiti or their families. If these charges are true, then some private detective agencies are acting as a fifth American Gestapo. Reforms in this area should be considered."

A Senate subcommittee headed by Sen. Edward V. Long, D. Mo., recently focused national attention on the more sophisticated electronic snoops—tools including a machine with a microphone embedded in its olive. Mr. Gallagher boyed down on such means of intruding as the latest foreign espionage questionaire distributed from Washington.

"For the first time last year,

farmers were asked to detail their outside income, including the amounts they received from Social Security, the Veterans' Administration, dividends and interest and other sources," he said. They were also told to submit data on everyone living in their farmhouse. This, said the congressman, is an invasion of privacy.

Rep. Gallagher and his witnesses agreed that the Federal government sets the national example for snooping. That companies will not cease so long as Washington sprints so about about their burgling with impunity.

Said Rep. Gallagher: "I believe that, once the Congress begins to take action the states will be encouraged to pass laws on areas of invasion of privacy outside Federal jurisdiction. But all this may not be enough. A new Constitutional amendment may be acquired to build a stronger wall."